

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
Alexandria Division

CARMELITA NARCISO,)	
)	
Plaintiff,)	
)	
v.)	Civil Action No. 1:08cv431
)	
COMMERCIAL MANAGEMENT COMPANY,)	
d/b/a COMMERCIAL MANAGEMENT)	
COMPANY OF VIRGINIA,)	
)	
Defendant.)	

MEMORANDUM OPINION

THIS MATTER came before the Court on defendant's Motion for Leave to File Objections to Plaintiff's Discovery Requests (# 18).

UPON REVIEW of defendant's Motion, plaintiff's Opposition, and defendant's Reply, the Court makes the following findings.

Plaintiff served its Interrogatories and Requests for Production of Documents on defendant on June 11, 2008. Misunderstanding the Local Rules and misreading the Scheduling Order of June 9, 2008, defendant failed to serve timely objections to those discovery requests.

In the instant Motion, defendant requests leave to file objections to plaintiff's discovery requests. Defendant seeks an extension of time pursuant to Fed. R. Civ. P. 6(b)(1)(B), whereby the court may extend time for good cause if the party failed to act because of excusable neglect.

Defendant served its responses and objections to plaintiff's discovery requests on July 24, 2008, and now asks this Court to deem those objections timely filed.

This Court generally looks with disfavor on motions requesting extensions of time or leave to file objections or responses out of time, as defendant's Motion requests in this instance.

Moreover, motions such as the one before the Court should be brought for hearing as soon as possible. If lead counsel is unavailable, every effort should be made to find co-counsel who may appear for hearing.

But where, as here, a party's objections are limited and appear meritorious, the Court may find good cause and grant leave to file untimely objections or deem already-filed objections as timely.

An appropriate Order shall issue.

ENTERED this 11th day of August, 2008.

/s/

THERESA CARROLL BUCHANAN
UNITED STATES MAGISTRATE JUDGE

Alexandria, Virginia